EXHIBIT A

08-01789-cgm Doc 1174-1 Filed 01/05/10 Entered 01/05/10 13:13:28 Exhibit A Pg 2 of 6

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

November 17, 2009

Ronald Lazarus & Linda Lazarus JT/WROS 7047 Prado Lake Drive Delray Beach, Florida 33446

Dear Mr. and Mrs. Lazarus:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claims on BLMIS Account No. 1ZB519 designated as Claim Number 8590 and Claim Number 100194 (to the extent Claim Number 100194 is deemed a customer claim) and combined ("Combined Claim") for purposes of this determination. This letter shall serve as the Trustee's determination with respect to the Combined Claim.

Your Combined Claim for a credit balance of \$460,356.10 and for securities is **DENIED**. No securities were ever purchased for your account.

Your Combined Claim is **ALLOWED** for \$83,031.26 (the "Allowed Claim"), which was the balance in your BLMIS Account on the Filing Date based on the amount of money you deposited with BLMIS for the purchase of securities, less subsequent withdrawals, as outlined in Table 1.

¹ Section 78*lll*(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78*lll*(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
12/27/2004	TRANS FROM 1ZB37530	\$624,717.92	\$463,031.2
Total Deposits:		\$624,717.92	\$463,031.2
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DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
1/3/2005	CHECK	(\$20,000.00)	(\$20,000.0
4/1/2005	CHECK	(\$20,000.00)	(\$20,000.0
7/1/2005	CHECK	(\$20,000.00)	(\$20,000.0
10/3/2005	CHECK	(\$20,000.00)	(\$20,000.0
12/19/2005	CHECK	(\$60,000.00)	(\$60,000.0
1/3/2006	CHECK	(\$20,000.00)	(\$20,000.0
4/3/2006	CHECK	(\$20,000.00)	(\$20,000.0
7/3/2006	CHECK	(\$20,000.00)	(\$20,000.0
10/2/2006	CHECK	(\$20,000.00)	(\$20,000.0
1/2/2007	CHECK	(\$20,000.00)	(\$20,000.0
4/2/2007	CHECK	(\$20,000.00)	(\$20,000.0
7/2/2007	CHECK	(\$20,000.00)	(\$20,000.0
10/1/2007	CHECK	(\$20,000.00)	(\$20,000.0
1/2/2008	CHECK	(\$20,000.00)	(\$20,000.0
4/1/2008	CHECK	(\$20,000.00)	(\$20,000.0
7/1/2008	CHECK	(\$20,000.00)	(\$20,000.0
10/1/2008	CHECK .	(\$20,000.00)	(\$20,000.0
Total Withdrawals:		(\$380,000.00)	(\$380,000.0
Total deposits less withdrawals:		\$244,717.92	\$83,031.

As reflected in Table 1, certain of the transfers into or out of your account have been adjusted. As part of the Trustee's analysis of accounts, the Trustee has assessed accounts based on a money in/money out analysis (i.e., has the investor deposited more or less than he or she withdrew from BLMIS). This analysis allows the Trustee to determine which part of an account's balance is originally invested principal and which part is fictitious gains that were fabricated by BLMIS. A customer's allowed claim is based on the amount of principal in the customer's account.

When ever a customer requested a transfer from one account to another, the Trustee analyzed whether the transferor account had principal in the account at the time of the transfer. The available principal in the account was transferred to and credited in the transferee account. Thus, the reason that the adjusted amount of transferred deposits in Table 1 is less than the purported transfer amount

is that the transferor account did not have sufficient principal available to effectuate the full transfer. The difference between the purported transfer amount and the adjusted transfer amount is the amount of fictitious gain that was transferred to or from your account. Under the money in/money out analysis, the Trustee does not give credit for fictitious gains in setting your allowed claim.

Your ALLOWED CLAIM of \$83,031.26 will be satisfied in the following manner:

The enclosed **ASSIGNMENT AND RELEASE** must be executed, notarized and returned in the envelope provided herewith. Upon receipt of the executed and notarized **ASSIGNMENT AND RELEASE**, the Trustee will fully satisfy your **ALLOWED CLAIM** by sending you a check in the amount of \$83,031.26, with the funds being advanced by Securities Investor Protection Corporation pursuant to section 78fff-3(a)(1) of SIPA.

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by you in having your customer claim re-determined in accordance with any such Court order.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you <u>MUST</u> file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after November 17, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for the Southern District of New York One Bowling Green New York, New York 10004

and

Irving H. Picard, Trustee c/o Baker & Hostetler LLP 45 Rockefeller Plaza New York, New York 10011

r**vi**ng H. Picard

Trustee for the Liquidation of the Business of Bernard L. Madoff Investment Securities LLC

Baker Hostetler

Baker&Hostetler up

3200 National City Center 1900 East 9th Street Cleveland, OH 44114-3485

T 216.621.0200 F 216.696.0740 www.bakerlaw.com

Kurt Andrew Leeper direct dial: 216.861.7014 kleeper@bakerlaw.com

November 23, 2009

VIA US MAIL

Ronald Lazarus 7047 Prado Lake Drive Delray Beach, Florida 33446

Re: Madoff Accounts 1ZB519 and 1ZR001

Dear Ronald:

This letter serves to confirm that you have been granted extensions until January 16, 2010 on Bernard L. Madoff Investment Securities Accounts 1ZB519 and 1ZR001. If you have any questions, please feel free to contact me.

Sincerely,

Kurt A. Leeper